

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 549
95TH GENERAL ASSEMBLY

Reported from the Committee on Health, Mental Health, Seniors and Families, March 11, 2009, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

2126S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet data transparency.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.192, to read as follows:

208.192. 1. By August 28, 2010, the director of the MO HealthNet division shall implement a program under which the director shall make available through its Internet web site nonaggregated information on individuals collected under the federal Medicaid Statistical Information System described in the Social Security Act, Section 1903(r)(1)(F), insofar as such information has been de-identified in accordance with regulations promulgated under the Health Insurance Portability and Accountability Act of 1996, as amended. In implementing such program, the director shall ensure that:

(1) The information made so available is in a format that is easily accessible, useable, and understandable to the public, including individuals interested in improving the quality of care provided to individuals eligible for programs and services under the MO HealthNet program, researchers, health care providers, and individuals interested in reducing the prevalence of waste and fraud under the program;

(2) The information made so available is as current as deemed practical by the director and shall be updated at least once per calendar quarter;

19 **(3) To the extent feasible, all health care providers, as such term**
20 **is defined in subdivision (20) of section 376.1350, RSMo, included in**
21 **such information are identifiable by name to individuals who access the**
22 **information through such program; and**

23 **(4) The director periodically solicits comments from a sampling**
24 **of individuals who access the information through such program on**
25 **how to best improve the utility of the program.**

26 **2. For purposes of implementing the program under this section**
27 **and ensuring the information made available through such program is**
28 **periodically updated, the director may select and enter into a contract**
29 **with a public or private entity meeting such criteria and qualifications**
30 **as the director determines appropriate.**

31 **3. By August 28, 2011, and annually thereafter, the director shall**
32 **submit to the general assembly and the MO HealthNet oversight**
33 **committee, a report on the progress of the program under subsection**
34 **1 of this section, including the extent to which information made**
35 **available through the program is accessed and the extent to which**
36 **comments received under subdivision (4) of subsection 1 of this section**
37 **were used during the year involved to improve the utility of the**
38 **program.**

39 **4. By August 28, 2011, the director shall submit to the general**
40 **assembly and the MO HealthNet oversight committee a report on the**
41 **feasibility, potential costs, and potential benefits of making publicly**
42 **available through an Internet-based program de-identified payment and**
43 **patient encounter information for items and services furnished under**
44 **Title XXI of the Social Security Act which would not otherwise be**
45 **included in the information collected under the federal Medicaid**
46 **Statistical Information System described in Section 1903(r)(1)(F) of**
47 **such act and made available under Section 1942 of such act, as added**
48 **by Section 5008.**

49 **5. Pursuant to section 23.253, RSMo, of the Missouri sunset act:**

50 **(1) The provisions of the new program authorized under this**
51 **section shall automatically sunset six years after the effective date of**
52 **this section unless reauthorized by an act of the general assembly; and**

53 **(2) If such program is reauthorized, the program authorized**
54 **under this section shall automatically sunset twelve years after the**
55 **effective date of the reauthorization of this section; and**

56 **(3) This section shall terminate on September first of the**
57 **calendar year immediately following the calendar year in which the**
58 **program authorized under this section is sunset.**

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